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**Eingegangen**  
05. Juli 2007  
Dreiss Patentanwälte

Date 04.07.07

Reference 43270021EP FUH/	Application No./Patent No. 04787848.3 - 1256 PCT/JP2004013208
Applicant/Proprietor SHOEI CO., LTD.	

#### COMMUNICATION

The European Patent Office herewith transmits as an enclosure the supplementary European search report under Article 157(2)(a) EPO for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

#### Refund of the search fee

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.



EPO Form 1507.4 03.95

CL00028801.002



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**SUPPLEMENTARY  
EUROPEAN SEARCH REPORT**

Application Number  
EP 04 78 7848

DOCUMENTS CONSIDERED TO BE RELEVANT		Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
Category	Citation of document with indication, where appropriate, of relevant passages		
A	US 5 095 550 A (J. A. PERLINGER) 17 March 1992 (1992-03-17)  * column 2, line 64 - column 4, line 34 * * column 5, lines 59-68 * * column 6, lines 9-31 * * column 7, line 66 - column 8, line 42 * * column 8, line 55 - column 9, line 15 * * figures 1,2,6-9 *	1,13,17, 29, 33-37, 49,55-70	INV. A42B3/04
A	DE 34 19 302 A (H. VOSS) 28 November 1985 (1985-11-28) * page 11, paragraphs 2, 3 * * figures 2,4 *	1	
A	DE 80 12 111 U (SCHUBERTH-WERK GMBH & CO KG) 31 July 1980 (1980-07-31)		
A	EP 1 391 158 A (SCHUBERTH-WERK GMBH) 25 February 2004 (2004-02-25)		
D,A	US 5 412 810 A (SHOEI KAKO KABUSHIKI KAISHA) 9 May 1995 (1995-05-09)		A42B
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
1	Place of search The Hague	Date of completion of the search 25 June 2007	Examiner Bourseau, Anne-Marie
CATEGORY OF CITED DOCUMENTS			
<input checked="" type="checkbox"/> X: particularly relevant if taken alone <input checked="" type="checkbox"/> Y: particularly relevant if combined with another document of the same category <input checked="" type="checkbox"/> A: technological background <input checked="" type="checkbox"/> O: non-written disclosure <input checked="" type="checkbox"/> P: intermediate document			
<input checked="" type="checkbox"/> T: theory or principle underlying the invention <input checked="" type="checkbox"/> E: earlier patent document, but published on, or after the filing date <input checked="" type="checkbox"/> D: document cited in the application <input checked="" type="checkbox"/> L: document cited for other reasons <input checked="" type="checkbox"/> B: member of the same patent family, corresponding document			

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 04 78 7848

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EPO file on. The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

25-06-2007

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5095550	A	17-03-1992	NONE	
DE 3419302	A	28-11-1985	NONE	
DE 8012111	U	31-07-1980	NONE	
EP 1391158	A	25-02-2004	DE 10238745 A1	18-03-2004
US 5412810	A	09-05-1995	DE 69418396 D1 DE 69418396 T2 EP 0638250 A2 JP 7012439 U JP 8006006 Y2	17-06-1999 23-09-1999 15-02-1995 28-02-1995 21-02-1996



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Eingegangen  
13.Okt. 2009  
Dreiss Patentanwälte

Application No. 04 787 848.3 - 1256	Ref. 43270021EP FUH/	Date 07.10.2009
Applicant SHOEI CO., LTD.		

#### Communication under Rule 71(3) EPC

You are informed that the Examining Division intends to grant a European patent on the basis of the above application with the text and drawings as indicated below:

3,1,10

FRIST
08.02.2010
FRIST / VORFRIST NOT. <input checked="" type="checkbox"/>

In the text for the Contracting States:  
DE FR GB IT

#### Description, Pages

1-55 as originally filed

#### Claims, Numbers

1-70 as originally filed

#### Drawings, Sheets

1/16-16/16 as originally filed

With the following amendments to the above-mentioned documents by the examining division

Description, Pages 11, 69, 82, 102

Claims, Numbers 1-70(4)

#### Comments

1) R42(1)b: Prior art document introduced

Registered Letter  
EPO Form 2004 12.67CSX

C100029801.002

Date 07.10.2009

Sheet 2

Application No.: 04 787 848.3

2) A84: Description adapted to the claim structure  
 3) R43(7): Reference signs introduced  
 4) R43(1): Characterising portion in claims 1, 17, and 37 relocated

A copy of the relevant documents is enclosed

The title of the invention in the three official languages of the European Patent Office, the international patent classification, the designated Contracting States, the registered name of the applicant and the bibliographic data are shown on the attached EPO Form 2056.

You are requested within a non-extendable period of four months of notification of this communication

1. to file 1 set of translations of the claim(s) in the two other EPO official languages;

EUR

2a. to pay the fee for grant including the fee for printing up to and including 35 pages;	Reference 007	790.00
2b. to pay the printing fee for the 36th and each subsequent page; number of pages: 56	Reference 008	672.00
3. to pay the additional claim fee(s) (R. 71(6) EPC); number of claims fees payable:	Reference 016	0.00
		Total amount
		1462.00

The mention of the grant of the patent shall be published in the European Patent Bulletin as soon as possible after the requirements concerning the translation of the claims and the payment of the fees for grant and printing, claims fees, designation fees and renewal fees as laid down in Rule 71(3), (4), (6) and (8) and (9) EPC are fulfilled.

Any divisional applications relating to this European patent application must be filed directly at the European Patent Office in Munich, The Hague or Berlin in accordance with Article 76(1) and Rule 36 EPC before the date on which the European Patent Bulletin mentions the grant of the patent (see Guidelines for Examination in the EPO, A-IV, 1.1.1).

If you do not approve the text intended for grant but wish to request amendments or corrections, the procedure described in Rule 71(4) EPC is to be followed.

If this communication is based upon an auxiliary request, and you reply within the time limit set that you maintain the main or a higher ranking request which is not allowable, the application will be refused (Art. 97(2) EPC).

If the enclosed claims contain amendments proposed by the Examining Division, and you reply within the time limit set that you cannot accept these amendments, refusal of the application under Article 97(2) EPC will result if agreement cannot be reached on the text for grant.

In all cases except those of the previous two paragraphs, if the fees for grant and printing or claims fees are not paid, or the translations are not filed, in due time, the European patent application will be deemed to be withdrawn (R. 71(7) EPC).

Registered Letter  
EPO Form 2004 12.67CEX

CL00029801.002

Date 07.10.2009

Sheet 3

Application No.: 04 787 848.3

For all payments you are requested to use EPO Form 1010 or EPO Form 1010E or to refer to the relevant reference number.

After publication, the European patent specification can be downloaded free of charge from the EPO publication server <https://publications.europatent-office.org> or ordered from the Vienna sub-office upon payment of a fee (CJ EPO 2005, 126).

Upon request in writing each proprietor will receive the certificate for the European patent together with one copy of the patent specification provided that the request is filed within the time limit of Rule 71(3) EPC. If such request has been previously filed, it has to be confirmed within the time limit of Rule 71(3) EPC. The requested copy is free of charge. If the request is filed after expiry of the Rule 71(3) EPC time limit, the certificate will be delivered without a copy of the patent specification (R.74 EPC, Decision of the President of the EPO, Special edition No.3, CJ EPO 2007, D.2).

#### Note on payment of renewal fees

If a renewal fee falls due between notification of the present communication and the proposed date of publication of the mention of the grant of the European patent, publication will be effected only after the renewal fee and any additional fee have been paid (R. 71(9) EPC).

Under Article 86(2) EPC, the obligation to pay renewal fees to the European Patent Office terminates with the payment of the renewal fee due in respect of the year in which the mention of the European patent is published.

#### Filing of translations in the Contracting States

As regards translation requirements prescribed by the Contracting States under Article 65(1) EPC, please consult the website of the European Patent Office  
[www.epo.org](http://www.epo.org) → Patents → Law → Legal texts → National law relating to the EPC  
[www.epo.org](http://www.epo.org) → Patents → Law → Legal texts → London Agreement

#### In case of a valid extension

As regards translation requirements prescribed by the Extension States, please consult the website of the European Patent Office  
[www.epo.org](http://www.epo.org) → Patents → Law → Legal texts → National law relating to the EPC

Failure to supply a prescribed translation in a Contracting State or an Extension State may result in the patent being deemed to be void *ab initio* in the State concerned (Article 65(3) EPC).

#### Important note to users of the automatic debiting procedure

The fees for grant and printing and also any additional claims fees due under Rule 71(6) EPC will be debited automatically on the date of filing of the translation of the (relevant) claims, or on the last day of the period of this communication. However, if the designation fees become due as set out in Rule 71(8) EPC and/or a renewal fee becomes due as set out in Rule 71(9) EPC, these should be paid separately by another permitted means of payment in order not to delay the publication of the mention of grant. The same applies in these circumstances to the payment of extension fees. For further details see the Arrangements for the automatic debiting procedure (AAD) and accompanying Information from the EPO concerning the automatic debiting procedure (Annexes A.1 and A.2 to the Arrangements for deposit accounts (ADA) in Supplement to CJ EPO 3/2009).

Date 07.10.2009

Sheet 4

Application No.: 04 787 848.3

**Examining Division:**

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1st Examiner:

Ozsoy, Sevda



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Branch at The Hague

Enclosure(s): Form 2058  
91 Copies of the relevant documents

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Registered Letter  
EPO Form 2004 12.07CSX

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**Annex to EPO Form 2004, Communication pursuant to Rule 71(3) EPC**

**Bibliographical data of European patent application No. 04 787 848.3**

For the intended grant of the European patent, the bibliographical data are set out below, for information:

**Title of invention:** - HALSABDECKUNG FÜR GANZGESICHTSHELM UND GANZGESICHTSHELM  
- NECK COVER FOR FULL FACE TYPE HELMET AND FULL FACE TYPE HELMET  
- PROTÉGE-COU POUR CASQUE DE TYPE INTÉGRAL ET CASQUE INTÉGRAL

**Classification:** INV. A42B3/04

**Date of filing:** 10.09.2004

**Priority claimed:** JP 07.06.2004 / JPA2004168597

**Contracting States\* for which fees have been paid:** DE FR GB IT

**Extension States\* for which fees have been paid:**

**Applicant(s)\*\*:** SHOEI CO., LTD.  
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**Inventor(s):** IKEDA, Yoshiyuki  
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\*) If the time limit for the payment of designation fees according to Rule 39(1) EPC has not yet expired and the applicant has not withdrawn any designation, all Contracting States/Extension States are currently still deemed to be designated. See also Rule 71(8) EPC and, if applicable, the above Note to users of the automatic debiting procedure.

\*\*) If two or more applicants have designated different Contracting States, this is indicated here.